

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

EXECUTIVE JET, INC.	§ 8	
Opposer,	9 § §	Opposition No. 121,708
vs.	\$ §	Mark: NEXTJET & Design
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NEXTJET, INC.	§ 8	Application Serial No. 75/886,330
	§ §	R 30
Applicant.	§	PR
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REQUEST WITH CONS	<u>ENT TO AMEND RI</u>	ECITATION OF SERVICES &
UNDER TBMP SECTION 514.02		

Applicant, NextJet, Inc., pursuant to Section 514.02 of the Trademark Trial and Appeal Board Manual of Procedure, hereby requests that the above-identified application for NEXTJET & Design, Serial No. 75/886,530, be amended as follows:

Delete the present recitation of services and insert the following: PICK-UP, TRANSPORTATION, STORAGE, DELIVERY OF DOCUMENTS, PACKAGES AND FREIGHT BY LAND AND AIR, RENDERED INDEPENDENTLY OF THE PURCHASE, SALE, LEASE OR FINANCING OF AIRCRAFT, in International Class 39.

Since the requested amendment is in the nature of a limitation on the recitation of services, it is within the scope of the Statute and the Rules.

This request is being made with the consent of Opposer, Executive Jet, Inc., and in response to a Settlement Agreement reached between the parties.

In the event there are fees due, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-2147 of Baker Botts L.L.P.

DAL01:667739.1

Respectfully submitted this 22nd day of April, 2002.

Valerie Verret

Valerie Verret BAKER BOTTS L.L.P. 2001 Ross Avenue Dallas, Texas 75201-2916 Telephone No. (214) 953-6818 Facsimile No. (214) 661-4818

ATTORNEYS FOR APPLICANT NEXTJET, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of April, 2002, I mailed, via first class mail, postage prepaid, a true and correct copy of the foregoing AMENDMENT UNDER TBMP SECTION 514.02 to:

> Jessica Sachs, Esq. Thompson Hine LLP 2000 Courthouse Plaza, N.E. 10 West Second Street Dayton, Ohio 45402-1706

Valerie Verret

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 in an envelope addressed to:

BOX TTAB NO FEE, 2900 Crystal Drive, Arlington, Virginia 22202-3513 on April 22, 2002.

Express Mail Cert. No.